

REMARKS

A. Background

Claims 1-23 were pending in the application at the time of the Office Action. The Office Action rejected claims 1-9, 11-21, and 23 as being obvious over cited prior art. Claim 23 was also objected to as being a system claim that depended from a method claim. Claims 10 and 22 were objected to as being dependent upon a rejected base claim. By this response applicant has amended claims 1, 2, 4, 11-18, 20, and 22-23. As such, claims 1-23 are again presented for the Examiner's consideration in light of the following remarks.

Initially, applicant would like to thank the examiner for the courtesy of the telephone interview conducted on April 4, 2005. The purpose of the interview was to clarify the Examiner's position as to why independent claims 1 and 13 were rejected over the prior art and why the prior response was not considered sufficient to overcome the prior rejections. The Examiner stated that in his opinion, both the mobile terminal and the access point of the Sturniolo reference read on the claimed "wireless communication station." He further asserted that when the Sturniolo reference is viewed from the perspective that the access point is the wireless communication station that receives the packet data from the mobile terminal, the combination of Sturniolo and Eng read on claims 1 and 13. The Examiner agreed, however, that if claims 1 and 13 were amended to recite a "wireless mobile communication station" (instead of a "wireless communication station") that this would distinguish the claims over the cited prior art. The Examiner also agreed that such an amendment would be supported by the application as originally filed. No formal agreement was reached with the Examiner.

B. Proposed Claim Amendments

By this response applicant has amended claims 1, 2, 4, 11-18, 20, and 22-23. These claims have been amended to clarify that any reference to a “wireless communication station” is directed towards a “wireless mobile communication station.” These amendments are supported by the specification as originally filed. In view of the foregoing, applicant submits that the amendments to the claims do not introduce new matter and entry thereof is respectfully requested.

C. Rejection on the Merits

Paragraph 1 of the Office Action objected to claim 23 as being a system claim that depended from a method claim, *i.e.*, method claim 13. Applicant has herein amended claim 23 to remove the dependency on claim 13. As such, Applicant respectfully requests that the objection with respect to claim 23 be withdrawn.

Paragraphs 2-5 of the Office Action rejected claims 1-9, 11-21, and 23 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,154,461 to Sturniolo et al., in view of a number of other patent references. Applicants have herein amended the claims to replace all references of “wireless communication station” with “wireless mobile communication station.” As discussed above with regard to the telephone interview conducted with the Examiner, the Examiner agreed during the interview that such amendments to the claims would distinguish the claims over the cited prior art. As such, in view of the claim amendments, applicant respectfully requests that the claim rejections be withdrawn.

Paragraph 7 of the Office Action requested that Applicant resend a copy of the Hoff, Meyer, and Cai references listed as items 20-22 of the IDS submitted 09/20/2004. Accordingly, attached at Exhibit A are complete copies of the requested references and a copy of the Form PTO-1449 that

was filed concurrently with the original submission of the references. Applicant respectfully requests that the Examiner initial consideration of the above requested references on the Form PTO-1449 and return a copy to applicant.

Paragraph 8 of the Office Action objected to claims 10 and 22 as being dependent upon rejected base claims, but stated that they would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Since the claims from which claim 10 and 22 depend are distinguishable over the cited prior art for at least the reasons as set forth above, applicant submits that claims 10 and 22 are now in condition for allowance.

No other objections or rejections are set forth in the Office Action.

D. Conclusion

Applicant notes that this response does not discuss every reason why the claims of the present application are distinguished over the cited prior art. Applicant has merely submitted those arguments which it considers sufficient to distinguish the claims over the cited prior art.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 1-23 as amended and presented herein. In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 22 day of April 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren", with a long horizontal flourish extending to the right.

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 Filing Date: January 26, 2001
 For: ORIGINATOR AUTHENTICATION



Sheet 1 of 2
 Confirmation No.: 7000
 Att'y Docket No.: 15292.5
 Group: 2661

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	5,638,450	06/10/1997	Robson
____ 2	5,872,523 A	02/16/1999	Dellaverson et al.
____ 3	6,125,281	09/26/2000	Wells et al.
____ 4	6,205,330 B1	03/20/2001	Winbladh
____ 5	6,226,279 B1	05/01/2001	Hansson et al.
____ 6	6,311,282 B1	10/30/0001	Nelson et al.
____ 7	6,356,543 B2	03/12/2002	Hall et al.
____ 8	6,389,008 B1	05/14/2002	Lupien et al.
____ 9	6,519,241 B1	02/11/2003	Theimer
____ 10	6,574,201 B1	06/03/2003	Kreppel
____ 11	6,625,652 B1	09/23/2003	Miller et al.
____ 12	6,636,502 B1	10/21/2003	Lager et al.
____ 13	6,661,782 B1	12/09/2003	Mustajärvi et al.
____ 14	6,704,295 B1	03/09/2004	Tari et al.
____ 15	6,721,288 B1	04/13/2004	King et al.
____ 16	6,757,266 B1	06/29/2004	Hundscheidt

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
____ 17	1 083 768 A	03/14/2001	EPO	N/A
____ 18	WO 99/12365	03/11/1999	PCT	N/A
____ 19	WO 99/16268 A	04/01/1999	PCT	N/A

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.